

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GAYLE TERRELL,

Plaintiff,

v.

DAVOL, INC., et al.,

Defendants.

CIVIL ACTION
NO. 13-5074

ORDER

AND NOW, this 30th day of July 2014, upon consideration of the Second Amended Complaint (Doc. Nos. 17, 19), Defendants' Motion to Dismiss (Doc. No. 20), Plaintiff's Response in Opposition (Doc. Nos. 21, 22), and Defendants' Reply (Doc. No. 23), and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Defendants' Motion to Dismiss (Doc. No. 20) is **GRANTED IN PART AND DENIED IN PART**. Counts I and II of the Second Amended Complaint are **DISMISSED**.
2. Defendants shall file an Answer to the Second Amended Complaint as to Counts III and IV by **August 13, 2014**.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.